

REMARKS/ARGUMENTS

In the December 8, 2005 Office Action, the Examiner rejected claims 1, 3-9, 36-45, and 47-49 and objected to claims 10-13 pending in the application. This response amends independent claims 1 and 36 for further consideration. After entry of the foregoing amendments, claims 1, 3-13, 36-45, and 47-49 (2 independent claims; 25 total claims) remain pending in the application. Reconsideration is respectfully requested.

The Examiner first rejected claims 36-45 and 47-49 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. In particular, the Examiner noted extraneous language in line 6 of claim 36. In response to the Examiner's rejection, Applicant has amended independent claim 36 to remove the extraneous language.

Claims 1, 3-9, 36-45, and 48-49 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Franklin et al., U.S. Patent No. 5,403,227 (hereafter "Franklin") in view of Mucci et al., U.S. Patent No. 5,913,716 (hereafter "Mucci"). In particular, the Examiner states that Franklin discloses an apparatus for planarizing a workpiece comprising substantially all of the subject matter set forth in the Applicants' claims except for the limitation of the web face having a microreplicated structure. The Examiner further notes that Franklin discloses a fixed abrasive web (90), take-up roller (102), feed roller (88), tension adjuster (92), orbiting assembly (60, 62, 64) and workpiece carrier (180). The Examiner further states that Mucci discloses the known use of a web having a fixed microreplicated abrasive structure for providing a uniform abrading surface across the web for uniformity in polishing. The Examiner then contends that it would have been obvious in view of Mucci to provide such a microreplicated abrasive surface on the web in the apparatus of Franklin to insure a uniform distribution of abrasive and/or uniform removal. Applicants respectfully traverse this rejection.

Applicants' claims 12, 13, 36-45 and 47-50 all require a manifold apparatus configured to affect fluid flow to a first face of a web. Neither Franklin or Mucci disclose such a manifold apparatus that is configured to affect fluid flow to a face of a web. Accordingly, claims 12, 13, 36-45 and 47-49 could not have been obvious to one of ordinary skill in the art and Applicant respectfully requests the withdrawal of the Examiner's 35 U.S.C. §103(a) rejection directed to these claims.

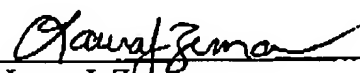
Applicants' amended claims 1-11 each require an orbiting assembly configured to orbit a web relative to a workpiece where the radius of orbit of the web is less than the radius of the

workpiece. Support for the limitation claiming that the radius of orbit of the web is less than the radius of the workpiece can be found in Applicants' specification at paragraph 36. Although Franklin does disclose rotational movement of the carriage in a circular motion (see column 6, lines 40-45), neither Franklin nor Mucci discloses orbiting a web relative to a workpiece where the radius of orbit of the web is less than the radius of the workpiece. Accordingly, in that neither Franklin or Mucci, either alone or in combination, disclose each and every element of Applicants' claimed invention, it would not have been obvious to one of ordinary skill in the art to combine Franklin and Mucci to arrive at Applicants' claims. Accordingly, Applicants respectfully request that the Examiner withdraw his rejection of claims 1-11 under 35 U.S.C. §103(a).

In view of the foregoing, Applicant respectfully submits that all of the pending claims fully comply with 35 U.S.C. §112 and are allowable over the prior art of record. Reconsideration of the application and allowance of all pending claims is earnestly solicited. Should the Examiner wish to discuss any of the above in greater detail or deem that further amendments should be made to improve the form of the claims, then the Examiner is invited to telephone the undersigned at the Examiner's convenience.

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Respectfully submitted,

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